

108TH CONGRESS  
1ST SESSION

# H. R. 1168

To amend the Higher Education Act of 1965 to provide deferments and interest payments for borrowers of student loans who are called to active duty.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2003

Mr. RYAN of Ohio (for himself, Mr. ACEVEDO-VILÁ, Mr. BROWN of Ohio, Mr. CHABOT, Mr. ETHERIDGE, Mr. FARR, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FROST, Mr. HOLDEN, Mr. INSLEE, Mrs. JONES of Ohio, Mr. JONES of North Carolina, Ms. KAPTUR, Mr. KILDEE, Mr. LATOURETTE, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mrs. MALONEY, Mr. GEORGE MILLER of California, Mr. OWENS, Mr. REYES, Mr. SERRANO, Mr. SIMMONS, and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on Education and the Workforce

---

## A BILL

To amend the Higher Education Act of 1965 to provide deferments and interest payments for borrowers of student loans who are called to active duty.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Active Reservists and  
5 National Guard Student Loan Relief Act of 2003”.

1 **SEC. 2. DEFERMENT DURING ACTIVE DUTY.**

2 (a) FFEL AND DIRECT SUBIDIZED LOANS.—Section  
3 428(b)(1)(M) of the Higher Education Act of 1965 (20  
4 U.S.C. 1078(b)(1)(M)) is amended—

5 (1) by striking “or” at the end of clause (ii);

6 (2) by inserting “or” after the semicolon at the  
7 end of clause (iii); and

8 (3) by inserting after clause (iii) the following  
9 new clause:

10 “(iv) not in excess of 3 years during  
11 which the borrower—

12 “(I) is on active duty under sec-  
13 tion 688, 12301(a), 12301(g), 12302,  
14 12304, 12306, or 12406, or chapter  
15 15 of title 10, United States Code, or  
16 any other provision of law during a  
17 war or during a national emergency  
18 declared by the President or Congress,  
19 regardless of the location at which  
20 such active duty service is performed;  
21 or

22 “(II) in the case of a member of  
23 the National Guard, is on full-time  
24 National Guard duty (as defined in  
25 section 101(d)(5) of title 10, United  
26 States Code) under a call to active

1 service authorized by the President or  
2 the Secretary of Defense for a period  
3 of more than 30 consecutive days  
4 under section 502(f) of title 32,  
5 United States Code, for purposes of  
6 responding to a national emergency  
7 declared by the President and sup-  
8 ported by Federal funds.”.

9 (b) PERKINS LOANS.—Section 464(c)(2)(A) of such  
10 Act (20 U.S.C. 1087dd(c)(2)(A)) is amended—

11 (1) by striking “or” at the end of clause (iii);

12 (2) by inserting “or” after the semicolon at the  
13 end of clause (iv); and

14 (3) by inserting after clause (iii) the following  
15 new clause:

16 “(v) not in excess of 3 years during  
17 which the borrower—

18 “(I) is on active duty under sec-  
19 tion 688, 12301(a), 12301(g), 12302,  
20 12304, 12306, or 12406, or chapter  
21 15 of title 10, United States Code, or  
22 any other provision of law during a  
23 war or during a national emergency  
24 declared by the President or Congress,  
25 regardless of the location at which

1 such active duty service is performed;  
2 or

3 “(II) in the case of a member of  
4 the National Guard, is on full-time  
5 National Guard duty (as defined in  
6 section 101(d)(5) of title 10, United  
7 States Code) under a call to active  
8 service authorized by the President or  
9 the Secretary of Defense for a period  
10 of more than 30 consecutive days  
11 under section 502(f) of title 32,  
12 United States Code, for purposes of  
13 responding to a national emergency  
14 declared by the President and sup-  
15 ported by Federal funds.”.

16 **SEC. 3. EFFECTIVE DATE.**

17 The amendments made by section 2 shall apply with  
18 respect to loans for which the first disbursement is made  
19 on or after July 1, 1993, to an individual who is a new  
20 borrower (within the meaning of section 103 of the Higher  
21 Education Act of 1965 (20 U.S.C. 1003)) on the date  
22 such individual applies for a loan.

○